

## **9 FAM 41.113 Procedures in issuing visas.**

*(TL:VISA-168; 08-08-1997)*

### **(a) Visa evidenced by stamp placed in passport.**

*(TL:VISA-168; 08-08-1997)*

Except as provided in paragraphs (b) of this section, a nonimmigrant visa shall be evidenced by a visa stamp placed in the alien's passport. The appropriate symbol as prescribed in 41.12, showing the classification of the alien, shall be entered on the visa.

[Amended by 62 FR 24332, May 1, 1997.]

### **(b) Cases in which visa not placed in passport.**

*(TL:VISA-9; 3-23-88)*

In the following cases the visa shall be placed on the prescribed Form OF-232. In issuing such a visa, a notation shall be made on the Form OF-232 on which the visa is placed specifying the pertinent subparagraph of this paragraph under which the action is taken.

(1) The alien's passport was issued by a government with which the United States does not have formal diplomatic relations, unless the Department has specifically authorized the placing of the visa in such passport;

(2) The alien's passport does not provide sufficient space for the visa;

(3) The passport requirement has been waived; or

(4) In other cases as authorized by the Department.

### **(c) Visa stamp.**

*(TL:VISA-168; 08-08-1997)*

A machine-readable nonimmigrant visa foil, or other indicia as directed by the Department, shall constitute a visa "stamp," and shall be in a format designated by the Department, and contain, at a minimum, the following data:

(i) Full name of the applicant;

(ii) Visa type/class;

(iii) Location of the visa issuing office;

- (iv) Passport number;
- (v) Sex;
- (vi) Date of birth;
- (vii) Nationality;
- (viii) Number of applications for admission or the letter "M" for multiple entries;
- (ix) Date of issuance;
- (x) Date of expiration;
- (xi) Visa control number.

[Amended by 62 FR 24332, May 5, 1997.]

**(d) Insertion of name; petition and derivative status notation.**

*(TL:VISA-168; 08-08-1997)*

(1) The surname and given name of the visa recipient shall be shown on the visa in the space provided.

(2) If the visa is being issued upon the basis of a petition approved by the Attorney General, the number of the petition, if any, the period for which the alien's admission has been authorized, and the name of the petitioner shall be reflected in the annotation field on the visa.

(3) In the case of an alien who derives status from a principal alien, the name and position of the principal alien shall be reflected in the annotation field of the visa.

[Amended by 62 FR 24332, May 5, 1997.]

**(e) Period of validity.**

*(TL:VISA-168; 08-08-1997)*

If a nonimmigrant visa is issued for an unlimited number of applications for admission within the period of validity, the letter "M" shall be shown under the word "entries". Otherwise the number of permitted applications for admission shall be identified numerically. The date of issuance and the date of expiration of the visa shall be shown at the appropriate places in the visa by day, month and year in that order. The standard three letter abbreviation for the month shall be used in all cases.

[Amended by 62 FR 24332, May 5, 1997.]

**(f) Restriction to specified port of entry.**

*(TL:VISA-168; 08-08-1997)*

If a nonimmigrant visa is valid for admission only at one or more specified ports of entry, the names of those ports shall be entered in the annotation field. In cases where there is insufficient room to list the ports of entry, they shall be listed by hand on a clean passport page. Reference shall be made in the visa's annotation field citing the passport page upon which the ports are listed.

[Amended by 62 FR 24332.]

**(g) Delivery of visa and disposition of Form OF-156.**

*(TL:VISA-2; 8-30-87)*

In issuing a nonimmigrant visa, the consular officer shall deliver the visaed passport, or the prescribed Form OF-232, which bears the visa, to the alien or, if personal appearance has been waived, to the authorized representative.

The executed Form OF-156, Nonimmigrant Visa Application, and any additional evidence furnished by the alien in accordance with 41.103(b) shall be retained in the consular files.

**(h) Disposition of supporting documents.**

*(TL:VISA-2; 8-30-87)*

Original supporting documents furnished by the alien shall be returned for presentation, if necessary, to the immigration authorities at the port of entry, and a notation to that effect shall be made on the Form OF-156. Duplicate copies may be retained in the consular files.

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**9 FAM 41.113 Related Statutory Provisions**

**INA 101(a)(15)(B)**

*(TL:VISA-9; 3-23-88)*

For INA 101(a)(15)(B), see 9 FAM 41.31 Related Statutory Provisions.

**INA 222(e), in part**

*(TL:VISA-168; 08-08-1997)*

(e) The issuance of a nonimmigrant visa shall, except as may be otherwise by regulations prescribed, be evidenced by a stamp, or other [sic] placed in the alien's passport.

[Amended by sec. 643(b) of Pub. L. 104-208, Sept. 30, 1996]